

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR15-053-RAJ
Plaintiff,)
)
v.)
) DETENTION ORDER
ARTHUR NAPOLEAND WILCHER,)
)
Defendant.)
_____)

Offense charged: Bank Fraud; Aggravated Identity Theft

Date of Detention Hearing: February 26, 2015.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant, together with nine co-defendants, is charged with participating in a

01 scheme to defraud a number of financial institutions by making invalid deposits and
02 withdrawing funds before the invalidity of the deposits was detected. Each defendant is also
03 charged with multiple counts of aggravated identity theft, as well as allegations of forfeiture.

04 2. At the time of the alleged offense, defendant was on supervised release for a
05 charge of Bank Fraud, having been sentenced by the Honorable Robert S. Lasnik in Case No.
06 CR08-245 in this District. In connection with the instant offense, defendant is also charged
07 with violations of supervised release, as well as consuming marijuana and failing to make
08 payment toward his restitution obligation. The supervised release violations carry a
09 presumption of detention.

10 3. Defendant was not interviewed by Pretrial Services and does not contest entry of
11 an order of detention at this time.

12 4. Defendant poses a risk of nonappearance due to a history of controlled substance
13 use, possible mental health issues, and a history of non-compliance with supervised release, as
14 well as unverified background information. Defendant poses a risk of danger due to criminal
15 history, his status on supervised release at the time of the commission of the alleged offense,
16 and a risk of financial danger due to the nature of the charges.

17 5. There does not appear to be any condition or combination of conditions that will
18 reasonably assure the defendant's appearance at future Court hearings while addressing the
19 danger to other persons or the community.

20 It is therefore ORDERED:

21 1. Defendant shall be detained pending trial and committed to the custody of the Attorney

22 General for confinement in a correction facility separate, to the extent practicable, from

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01 persons awaiting or serving sentences or being held in custody pending appeal;

02 2. Defendant shall be afforded reasonable opportunity for private consultation with
03 counsel;

04 3. On order of the United States or on request of an attorney for the Government, the
05 person in charge of the corrections facility in which defendant is confined shall deliver
06 the defendant to a United States Marshal for the purpose of an appearance in connection
07 with a court proceeding; and

08 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
09 for the defendant, to the United States Marshal, and to the United State Pretrial Services
10 Officer.

11 DATED this 26th day of February, 2015.

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14 Mary Alice Theiler
15 Chief United States Magistrate Judge
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